

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant Huang, Ming Art Unit: 2875
Series No 10/670,852 Examiner: Anabel M. Ton
Filed 09/26/2003
Title Light emitting rotary double refill pen

Mail Stop Non-Fee Amendment
Honorable Assistant Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Responsive to the Official Action date 05/ 04 / 2005, please amend the above-referenced Patent Application as following:

According to the official action, the applicant amends the claim 1, and claim 4. And the applicant reviews the present invention and the cited documents, the present invention still has "a lead is movable with the rotation of the emitting body" different from the cited documents, in other words, the emitting light set is integral to the light up action, it is part of the rotary mechanism even rotating to light to indicate that is the stylus in use, but the same in cited USP 6,585,388 only lights up intermittently.

AMENDMENT

IN THE CLAIM

Please amend Claims 1 and 4, without prejudice or disclaimer of the subject matter thereof.

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LIST OF CLAIMS:

1. (currently amended) A light emitting rotary double refill pen comprising an upper tube and a lower tube, the lower tube being installed with a refill switching unit for switching two refills; an upper end of the refill switching unit being embedded with the upper tube; when the upper tube rotates, a rotary portion of the refill switching unit rotates to switch the two refills; further comprising: a rotary tube in a upper tube and being a hollow tube; a stop cap at a top of the rotary tube; a transparent mask embedded into the stop cap; a positioning tube at an inner upper end of the rotary tube to resist against the stop cap; a sleeve resisting against a lower edge of the positioning tube and embedded with an inner wall of the rotary tube; a light emitting set installed at and secured to a lower end of an inner wall of the positioning tube; the light emitting set being installed with a light emitting body and a battery set; a spring installed between the light emitting set and the stop cap; wherein a top of the refill switching unit of the lower tube is fixed with an electric disk and is conductive to the light emitting set a top of the electric disk is installed with a conductive spring and a conductive plate; one lead of the light emitting body is in contact with an electrode at a top of the battery set; and another lead of the light emitting body extends downward to a lower side of a casing; the lead is movable with the rotation of the light emitting body; when the lead is in contact with the conductive plate on the electric disk, the light emitting body lights up, otherwise, the lead is not in contact with the conductive plate on the electric disk, the light emitting body extinguishes.

2. (original) The light emitting rotary double refill pen as claimed in claim 1, wherein an inner wall of the positioning tube is formed with positioning recesses, an outer casing of the light emitting set is installed with stripes which can be embedded into the positioning recesses.

3. (original) The light emitting rotary double refill pen as claimed in claim 1, wherein the transparent mask is integrally formed with the stop cap.

4. (currently amended) The light emitting rotary double refill pen as claimed in claim 1, wherein a top center of the rotary portion of the refill switching unit has a positioning post which is ~~[[non-rotatable]]~~ non-rotational, a positioning trench is formed on the positioning post for receiving a rib at a bottom end of the electric disk.

5. (original) The light emitting rotary double refill pen as claimed in claim 1, wherein a length of the conductive plate is equal to a radius of the electric disk.

6. (original) The light emitting rotary double refill pen as claimed in claim 1,

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